

Senate Bill No. 968

Passed the Senate August 30, 2006

Secretary of the Senate

Passed the Assembly August 23, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 103626 of the Health and Safety Code, and to amend Section 18308 of the Welfare and Institutions Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

SB 968, Torlakson. Domestic violence: Contra Costa County.

Existing law requires the collection of fees for certified copies of fetal death or death records and marriage or birth certificates. Existing law authorizes the board of supervisors of a county that has established a county children's trust fund to increase the fee for a certified copy of a birth certificate for purposes of the fund.

Existing law authorizes the Board of Supervisors of Contra Costa County, until January 1, 2007, to increase fees, for certified copies of marriage certificates, birth certificates, fetal death records, and death records, up to a maximum increase of \$2, and to annually increase these fees, as prescribed, authorizes the retention of specified administrative costs, and specifies that the purpose of the fee increase is to provide funding for governmental oversight and for the coordination of domestic violence prevention, intervention, and prosecution efforts in the county.

This bill would delete the repeal date of that authorization, and would, in addition to the existing authorization for annual increases, authorize the Board of Supervisors of Contra Costa County to increase these fees by up to \$4.

This bill would make specified legislative findings regarding the need for special legislation.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Domestic violence is costly, both in human and organizational terms. The results of domestic violence have many "hidden" costs, such as job turnover, loss of productivity, school absenteeism, and low-school performance, in addition to the high

cost of law enforcement, civil and criminal justice, health services, mental health services, substance abuse treatment, human services, and community-based services.

(b) Domestic violence cuts across all economic and education levels, all age groups, ethnicities, and other social and community characteristics. Domestic violence is characterized by a predictable, escalating cycle that can result in injury or death of victims, including children. Domestic violence puts children at risk.

(c) Domestic violence is learned and generational, and requires a multifaceted intervention that engages civil, criminal, health, and social service sectors working together to align objectives, protocols, policies, and activities of each sector.

(d) Contra Costa County determined that achievement of this alignment requires governmental oversight and coordination of the multiple agencies involved in the domestic violence system. This oversight and coordination is an essential link in a comprehensive effort to eliminate domestic violence.

(e) During the past four years, Contra Costa County has created a successful domestic violence program. Contra Costa County has established a coordinated data system, set up a training program involving law enforcement, courts, health and social service agencies, established restraining order clinics and other victim support services, and increased accountability measures against perpetrators of domestic violence.

(f) Contra Costa County's Domestic Violence Program successfully competed for federal funds and other grants which have increased its ability to serve victims and prosecute offenders.

(g) Contra Costa County is piloting numerous new domestic violence prevention strategies, including creating an innovative continuum of services for children exposed to domestic violence and establishing primary prevention strategies focused on engaging men in mentoring boys to end the cycle of abuse for future generations.

(h) Contra Costa County has demonstrated critically needed leadership through its Systemic Approach Model to addressing domestic violence by integrating victim services across multiple disciplines and by advancing public-private partnerships to institutionalize coordination. Moreover, through its effective

centralized collaborative approach, Contra Costa County is addressing system issues critical to California as contained in the California Attorney General's Domestic Violence Report "Keeping the Promise, Victim Safety and Batterer Accountability," issued in June of 2005.

(i) The reauthorization of the fees specified in Section 103626 of the Health and Safety Code is essential for Contra Costa County to continue its efforts to create an effective, proven, replicable model that combats domestic violence, and to draw down federal and private funds to support development of a system that will be valuable throughout California.

SEC. 2. Section 103626 of the Health and Safety Code is amended to read:

103626. (a) The Contra Costa County Board of Supervisors, upon making findings and declarations supporting the need for governmental oversight and coordination of the multiple agencies dealing with domestic violence, may authorize an increase in the fees for certified copies of marriage certificates, birth certificates, fetal death records, and death records, up to a maximum increase of four dollars (\$4).

(b) Effective July 1 of each year, the Contra Costa County Board of Supervisors may authorize an increase in these fees by an amount equal to the increase in the Consumer Price Index for the San Francisco metropolitan area for the preceding calendar year, rounded to the nearest half-dollar. The fees shall be disposed of pursuant to the provisions of Section 18308 of the Welfare and Institutions Code.

(c) In addition to the fees prescribed by subdivisions (a) and (b) of this section, any applicant for a certified copy of a birth certificate, a fetal death record, or death record in Contra Costa County shall pay an additional fee to the local registrar, county recorder, or county clerk as established by the Contra Costa County Board of Supervisors.

SEC. 3. Section 18308 of the Welfare and Institutions Code is amended to read:

18308. The Contra Costa County Board of Supervisors shall direct the local registrar, county recorder, and county clerk to deposit fees collected pursuant to Section 103626 of the Health and Safety Code into a special fund. The county may retain up to 4 percent of the fund for administrative costs associated with the

collection and segregation of the additional fees and the deposit of these fees into the special fund. Proceeds from the fund shall be used for governmental oversight and coordination of domestic violence and family violence prevention, intervention, and prosecution efforts among the court system, the district attorney's office, the public defender's office, law enforcement, the probation department, mental health, substance abuse, child welfare services, adult protective services, and community-based organizations and other agencies working in Contra Costa County in order to increase the effectiveness of prevention, early intervention and prosecution of domestic and family violence.

SEC. 4. Due to the unique circumstances of the County of Contra Costa with respect to domestic violence, the Legislature hereby finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

Therefore, the special legislation contained in Sections 2 and 3 of this act is necessarily applicable only in the County of Contra Costa.

Approved _____, 2006

Governor